

Draft 2012 Code of Student Conduct

Article I. Basis of Conduct and Discipline

The University of the Philippines Diliman promulgates these rules to cultivate values and encourage virtues that make the Filipino proud. These values aim to strengthen character and nurture a community of scholars by upholding honor and inspiring excellence, which mark and distinguish UP education.

Ideally, while virtue cannot be legislated, the character that may be strengthened has dimensions of concern for others, a degree of selflessness, the pursuit of learning and wisdom, a sense of justice and fairness, the courage to stand for moral principles, and the encouragement of an environment where persons can flourish.

The University respects and upholds the students' right of association. The University supports student organizations and activities as initiatives of students to show their capacity for autonomous governance and leadership. It recognizes and promotes this training as preparation for their role in the governance of our nation with accountability, humility and love of country.

This Code is neither intended to restrict nor unnecessarily limit student activities but rather to provide the institutional parameters within which student activities can flourish. Certain primary institutional or social benefits are generated by the due observation of these parameters, among which are conviviality and security, the promotion of valuable initiatives, social cooperation and collective welfare.

The University has exclusive jurisdiction over matters of student misconduct. The University has the right to define standards and norms of proper conduct of students, and therefore considers departures from said standards as acts of misconduct and as violations of this Code.

The University prescribes the procedure for cases of student discipline, duly recognizing the rights of students to due process. The disciplinary proceedings are administrative in nature, not open to the public, and the Rules of Court shall not apply.

The faculty has the right to define standards of intellectual honesty on students, and exact norms of academic scholarship. The faculty considers acts of intellectual dishonesty as violations of academic integrity.

Article II. Applicability

This Code shall apply to UP Diliman **and all its programs**.

Article III. Definitions

For purposes of this Code, the following terms shall be defined thus:

1. **Academic activity** – any activity that involves academics such as, but not limited to, classes, tutorials, seminars, conferences, lectures, examinations, fulfillment of academic requirements and others.
2. **Academic year** – as determined by the University.
3. **Actual damages** – as defined by law.
4. **Admonition/reprimand** – a written or oral, formal reproof.
5. **Alternative Dispute Resolution (ADR)** – any process to amicably settle a dispute involving less serious misconduct by which the dispute is resolved by the parties themselves with the assistance of a neutral third party, which includes mediation and conciliation.
6. **Apology** – a signed and accepted written expression of contrition or remorse for wrong done.
7. **Clearance** – a written certification from the University that the student is cleared of all accountabilities.
8. **College** – all academic units such as College, School, Institute or Center.
8. **Community service** – any rehabilitative activity as provided by the disciplinary authority designed to provide for the public good in keeping with the overall goals of the community, and agreed upon by the disciplinary authority and the respondent/s, provided that it should not displace regular employees, supplant employment opportunities ordinarily available, or impair contracts for services.
Formula to convert suspension to community service:

Using fifteen (15) units as the minimum full load, fifteen (15) hours per week of community service will be deemed equivalent to a suspension of one (1) week. For example, a two-week suspension may be converted into thirty (30) hours of community service. Community service may be rendered within a period that is not more than two (2) times the length of the suspension.

| Suspension | Equivalent in community service | Maximum period of implementation |
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| 1 week | 15 hours | 2 weeks |
| 1 month | 60 hours | 2 months |
| 1 semester | 15 hours/week throughout the semester | 2 continuous semesters |

Only penalties of one-semester suspension or less may be converted to community service. However, in cases of intellectual dishonesty, fraud and harm to persons, community service does not apply.

9. **Day, week, month, year** – “It shall be understood that years are of three hundred sixty-five days each; months, of thirty days; days, of twenty-four hours; and nights, from sunset to sunrise. If months are designated by their name, they shall be computed by the number of days which they respectively have. In computing a period, the first day shall be excluded, and the last day included.”¹
10. **Expulsion** – permanent disqualification from attendance in the University of the Philippines Diliman.
11. **Fraud** – deliberately making a false statement and practicing any deception for financial or personal gain.
12. **Gambling** – any activity that involves wagering of money or something of material value on an event with an uncertain outcome with the primary intent of winning additional money and/or material goods, without prejudice to fund-raising activities by student organizations expressly allowed by the University, such as bingo and raffle.
13. **Hearing** – an opportunity for the parties to be heard.
14. **Intellectual dishonesty** – any fraudulent act performed by a student to achieve academic advantage or gain for oneself or others, including but not limited to:
 - a. Plagiarism, defined as “the appropriation of another person's ideas, processes, results or words without giving appropriate credit”²;
 - b. Fabrication, defined as “making up data or results”³; falsification, or “manipulating research materials, equipment, or processes or changing or omitting data or results such that the research is not accurately represented in the research record”⁴; distortion and/or destruction of data;

¹ New Civil Code (NCC).

² Committee on Science, Engineering, and Public Policy, National Academy of Sciences, National Academy of Engineering, Institute of Medicine. "Research Misconduct." *On Being a Scientist: A Guide to Responsible Conduct in Research*: Third Edition. Washington, DC: The National Academies Press, 2009, p. 15.

³ *On Being a Scientist*, p. 15.

⁴ *On Being a Scientist*, p. 15.

- c. Copying or providing the means or accessing means to copy exam answers, homework, projects, laboratory experiments, term papers, etc.; possession and/or use of cheat devices during an examination; allowing another person to take an examination in one's name, and/or impersonating another student or allowing someone to impersonate oneself in an academic activity; and manipulating a corrected exam paper;
 - d. Submission of the same work in two or more courses without the instructors' consent; and
 - e. Other acts analogous to a, b, c, and/or d.
16. **Intellectual Property** – as defined by the University Intellectual Property Rights Policy.
17. **Official Report** – includes any report duly submitted in writing to any proper authority in the University by a faculty member, member of the University security force, any officer of a college or unit, or any officer of the University administration.
18. **Reparation** – appropriate compensation to the aggrieved party for damage and or loss.
19. **Registered student organization** –a group of students officially registered by the University or College.
20. **Restitution** – return of property to reverse unjust enrichment.
21. **Retention** – continuing status as student of the University by satisfying retention requirements such as good academic standing or retention grades.
22. **Semester** – academic period as determined by the University.
23. **Student** – any individual admitted to and registered in a degree or non-degree program, or cross-registered in any course of the University on a regular or part-time basis, including one who is officially on leave of absence; and who has not yet been separated from the University formally through either transfer, graduation, honorable or dishonorable dismissal, expulsion or expiration of the period allowed for maximum residence, at the time of the commission of the misconduct, regardless of whether or not he/she is enrolled in any unit of the University at the time of the filing of the charge or during the pendency of the disciplinary proceedings against her/him.
24. **Suspension** – an involuntary, temporary leave from the University wherein a student may not be allowed to enroll and shall not:
- a. Attend classes and academic activities;

- b. Use campus facilities, including but not limited to athletic facilities, libraries and computer laboratories, except dormitories for dormitory residents under suspension for less than one (1) semester;
 - c. Enter academic buildings and their premises;
 - d. Participate in student activities within University premises;
 - e. Hold jobs in the University;
 - f. Take exams; and
 - g. Avail of any other privilege attendant to being a UP student.
25. **Tambayan** - a space within the University which the members of a registered student organization officially occupy for a specified period in order to conduct organization activities.
26. **University Official** – for purposes of this Code, includes all University employees, such as teaching and non-teaching staff, regular and contractual, and independent contractors
27. **University premises** – as defined by the University's certificates of title, including those of the UP Extension Program in Pampanga.

All terms, unless specifically defined, should be understood in their ordinary meaning, **not inconsistent with other existing University rules and regulations.**

Article IV. Guidelines for Students and Registered Student Organizations

The University encourages students to engage in activities that help them flourish as individuals and as groups. Students and student organizations may not be subjected to any disciplinary proceeding except as provided in this Code.

Section 1. Acts of Misconduct and Corrective Measures for Students

| Acts of Misconduct (See Appendix A.) | Corrective Measures (See Appendix B.) |
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| Section 1.1. Intellectual Dishonesty | |
| Committing any form of intellectual dishonesty such as, but not limited to, | |
| a. Plagiarism; | 1. For the first violation, suspension for a minimum of one (1) semester, to expulsion; 2. For the second violation, expulsion. |
| b. Fabrication, falsification, distortion and/or destruction of data; | 1. For the first violation, suspension for a minimum of one (1) semester, to expulsion; 2. For the second violation, expulsion. |
| c. Copying or providing the means or accessing means to copy exam answers, homework, projects, laboratory experiments, term papers, etc.; possession and/or use of cheat devices during an examination; allowing another person to take an examination in one's name, and/or impersonating another student or allowing someone to impersonate oneself in an academic activity; and manipulating a corrected exam paper | 1. For the first violation, suspension for a minimum of two (2) months, to expulsion; 2. For the second violation, expulsion. |
| d. Submission of the same work in two or more courses without the instructors' consent; | 1. For the first violation, suspension for a minimum of one (1) month, to two (2) years; 2. For the second violation, expulsion. |
| e. Other acts analogous to a, b, c, and/or d. | 1. For the first violation, suspension for a minimum of one (1) month, to expulsion; 2. For the second violation, expulsion. |
| | Additional corrective measures for all acts of Intellectual Dishonesty: <ul style="list-style-type: none"> • Withdrawal of degree • Withdrawal of honors • Disqualification from graduation with |

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| | <p>honors</p> <ul style="list-style-type: none"> • Cancellation of registration <p>Withdrawal of IT privileges as defined by the current policies on IT uses and resources of the University.⁵</p> |
| Section 1.2. Fraud | |
| Making a false statement and practicing any deception or fraud | |
| a. In connection with admission to the University; | The admission to the University of any student found to have committed the misconduct defined in Article VI Section 1.2.a shall be declared by the University Registrar to be null and void; s/he shall be permanently barred from admission. |
| b. In connection with registration in the University; | <p>1. For the first violation, suspension for one (1) semester to expulsion;</p> <p>2. For the second violation, expulsion.</p> <p>Possible additional corrective measures:</p> <ul style="list-style-type: none"> • cancellation of registration in the course/s for which the fraudulent act was committed • no refund of tuition and other fees • disqualification from graduation with honors • withdrawal of degree |
| c. In connection with retention in the University; | <p>1. For the first violation, suspension for one (1) semester to expulsion;</p> <p>2. For the second violation, expulsion.</p> <p>Possible additional corrective measures:</p> <ul style="list-style-type: none"> • cancellation of registration for the course/s for which the fraudulent act was committed • no refund of tuition and other fees • disqualification from graduation with honors • withdrawal of degree upon recommendation of disciplinary body |
| d. In connection with graduation from the University; | <p>Expulsion.</p> <p>The degree granted to any student found</p> |

⁵ See the Approved Acceptable Use Policy (AUP) for Information Technology (IT) Resources of the UP System, approved by the Board of Regents on 1 February 2003, posted in the website of the University (<http://www.up.edu.ph>), and other documents.

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| | <p>to have committed the misconduct defined in Article VI Section 1.2.d shall be recommended to the Board of Regents (BOR) for withdrawal.</p> |
| <p>e. In connection with application to and/or receiving any scholarship or grant funded or managed by the University and its affiliated institutions;</p> | <p>1. For the first violation</p> <ul style="list-style-type: none"> • Suspension for a minimum of one (1) semester to expulsion; • Payment of the difference between the granted and re-assessed STFAP brackets; • or reimbursement of the full cost of the grant, its processing, plus interest; and • Disqualification from graduation with honors. <p>Possible additional corrective measure: Permanent disqualification from all scholarships or grants funded or managed by the University and its affiliated institutions.</p> <p>2. For the second violation, expulsion; payment of the difference between the granted and re-assessed STFAP brackets and/or reimbursement of the full cost of the grant, its processing, plus interest.</p> |
| <p>f. In connection with stealing/malversation/misuse of funds collected in connection with student activities;</p> | <p>1. For the first violation</p> <ul style="list-style-type: none"> • Suspension for a minimum of one (1) semester to expulsion; • Restitution, or the return of the funds to the rightful owner; • Reparation, or compensation to the aggrieved party for damage or loss; and • Disqualification from graduation with honors. <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert, the corrective measure of suspension shall be for a minimum of one year to expulsion.</p> <p>2. For the second violation</p> <ul style="list-style-type: none"> • Expulsion; |

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| | <ul style="list-style-type: none"> • Restitution, or the return of the funds to the rightful owner; and • Reparation, or compensation to the aggrieved party for damage or loss. |
| g. In connection with registration of student organizations; | <ol style="list-style-type: none"> 1. For the first violation, suspension of student/s responsible for a minimum of one (1) semester; 2. For the second violation, one (1) academic year. 3. For the third violation, expulsion. <p>Possible additional corrective measure: Disqualification from graduation with honors.</p> |
| h. In connection with the use of University facilities by, or in the name of, student organizations; | <ol style="list-style-type: none"> 1. For the first violation, suspension of officers and students who applied for the use of the University facilities under the name of the organization for a minimum of one (1) semester; they shall be solidarily liable for the payment of the actual cost of use of the facility; 2. For the second violation, suspension of one (1) academic year. 3. For the third violation, expulsion. <p>Possible additional sanction: Disqualification from graduation with honors.</p> |
| i. In connection with the use of intellectual property of the University, which results in gain, material or otherwise. | <ol style="list-style-type: none"> 1. For the first violation, suspension for a minimum of one (1) semester, to expulsion; 2. For the second violation, expulsion. <p>Possible additional sanction: Disqualification from graduation with honors.</p> |
| Section 1.3. Harm | |
| Section 1.3.1. Harm to Persons | |
| a. Creating and/or engaging in disorder, tumult, breach of peace, or serious disturbance such as, but not limited to, rumbles, within the University premises, | <ol style="list-style-type: none"> 1. For the first violation, suspension for a period ranging from fifteen (15) days to one (1) semester, or community service; |

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| <p>resulting in harm to persons;</p> | <p>2. For the second violation, suspension for one (1) semester to one (1) academic year;</p> <p>3. For the third violation, suspension for one (1) academic year to expulsion.</p> <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert, the corrective measure shall be as follows:</p> <p>1. For the first violation, suspension of the students involved in the disorder for one (1) semester to one (1) academic year;</p> <p>2. For the second violation, expulsion.</p> <p>Provided further, that if the misconduct involves the use of objects listed in Article IV Section 1.4.b, the corrective measure shall be expulsion.</p> |
| <p>b. Attacking a person resulting in physical and/or psychological injury;</p> | <p>1. For the first violation, the sanction shall be:</p> <p>If the victim is medically certified to have sustained injury but is not incapacitated, e.g., able to attend classes or work, suspension for thirty (30) days to expulsion;</p> <p>If the victim is not hospitalized or is hospitalized for less than seven (7) days and is medically certified to be incapacitated, e.g., unable to attend classes or work, suspension for one (1) semester to expulsion;</p> <p>If the victim is hospitalized at least seven (7) days as a consequence of the act, suspension for one (1) year to expulsion; and</p> <p>If the victim dies as a result of the act, expulsion;</p> <p>Provided further, that if the physical attack is committed by two or more persons</p> |

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| | <p>acting in concert, the corrective measure shall be expulsion.</p> <p>2. For the second violation, expulsion.</p> |
| <p>c. Engaging in any of the acts described in RA 8049, otherwise known as the Anti-Hazing Law;</p> | <p>Expulsion of the officers of the organization and members involved in the act.</p> <p>The neophyte who allows herself/himself to be subjected to such rites and rituals shall be suspended for one (1) week to one (1) semester and shall be required to undergo counseling. The parent/s or guardian/s of the student shall be notified.</p> |
| <p>d. Accepting a student who has not completed a one- semester residency in UP Diliman for membership in a registered student organization;</p> | <p>Suspension for one (1) semester to one (1) academic year;</p> <p>Provided further, that any student found to have accepted two or more such students to the organization, the corrective measure shall be suspension for one (1) academic year to expulsion.</p> <p>The student who allows herself/himself to be accepted for membership shall be required to undergo counseling. The parent/s or guardian/s of the student shall be notified.</p> |
| <p>e. Disrespect towards any person, which includes, but not limited to, insulting, discriminatory and/or threatening behavior;</p> | <p>1. For the first violation, suspension for fifteen (15) days to one (1) semester and a verified written apology acceptable to the offended party;</p> <p>Provided, that if the misconduct is committed against a University official, faculty member or person in authority, suspension for a minimum of one (1) semester to one (1) academic year and a verified written apology acceptable to the offended party.</p> <p>Provided further, that if the misconduct is committed by two or more persons acting in concert, suspension for a minimum of one (1) academic year and a verified written apology acceptable to the offended party, to expulsion.</p> |

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| | <p>Refusal to provide a verified written apology acceptable to the offended party will result to expulsion. The apology should be written and sent to the offended party within fifteen (15) days from receipt of suspension order.</p> <p>2. For the second violation, expulsion.</p> |
| f. All acts described in the Anti-Sexual Harassment Act of 1995 (R.A. 7877) and its Implementing Rules and Regulations (IRR) approved by the Board of Regents. | (Refer to UP IRR for R.A. 7877.) |
| | Possible additional corrective measure: Disqualification from graduation with honors. |
| Section 1.3.2. Damage to Property | |
| a. Damaging or defacing property within University premises, including but not limited to, littering and vandalism; | <p>1. For the first violation, suspension from one (1) week to one (1) academic year, or community service; or</p> <p>2. For the second violation, suspension from fifteen (15) days to expulsion;</p> <p>3. For the third violation, suspension for a period of one (1) semester to expulsion.</p> <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert and/or committed on the occasion of violent confrontations or any similar disturbance, the corrective measure shall be as follows:</p> <p>1. For the first violation, suspension for one (1) month to expulsion;</p> <p>2. For the second violation, expulsion.</p> <p>In all cases, the students shall be required to repair the damage done at their expense or to pay the costs incurred in repairing such damage. No clearance shall be issued until such damage is fully compensated by the students.</p> |
| b. Stealing within University premises. | 1. For the first violation, suspension for one (1) week to one (1) academic year or |

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| | <p>community service; or</p> <p>2. For the second violation, suspension for two (2) weeks to expulsion;</p> <p>3. For the third violation, suspension for a period of one (1) semester to expulsion.</p> <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert and/or committed on the occasion of violent confrontations or any similar disturbance, the corrective measure shall be as follows:</p> <p>1. For the first violation, suspension for one (1) month to expulsion;</p> <p>2. For the second violation, expulsion.</p> <p>In all cases, the students shall be required to make restitution and/or reparation, and repair the damage done at their expense or to pay the costs incurred in repairing such damage. No clearance shall be issued until the stolen property is returned or replaced and any damage is fully compensated by the students.</p> |
| Section 1.4. Other Inappropriate Behavior | |
| <p>a. Drinking of alcoholic beverages, except where and when expressly allowed by the Chancellor, and/or drunken behavior within University premises;</p> | <p>Admonition to suspension for three (3) to fifteen (15) days or community service;</p> |
| <p>b. Smoking in accordance with the provisions of R.A. 9211;</p> | <p>Admonition to suspension for three (3) to fifteen (15) days or community service;</p> |
| <p>c. Possession and/or use within the University premises of any dangerous or deadly or potentially deadly object or material such as, but not limited to, firearm; any bladed or pointed object; stick, pipe, or any similar object; and chemicals, unless required in her/his course;</p> | <p>1. For the first violation, suspension for one (1) month to one (1) year;</p> <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert, the corrective measure shall be suspension of one (1) year to expulsion.</p> <p>Provided, that should the deadly weapon be a firearm, explosive, or any similar</p> |

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| | <p>device, the corrective measure shall be expulsion;</p> <p>2. For the second violation, suspension for one (1) year to expulsion.</p> <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert, the corrective measure shall be expulsion.</p> <p>3. For the third violation, expulsion.</p> |
| <p>d. Unauthorized possession, manufacture, storage and/or use of regulated or prohibited drugs or substances enumerated in the prevailing Comprehensive Dangerous Drugs Law, within the University premises;</p> | <p>1. For the first violation, suspension for one (1) semester to one (1) academic year;</p> <p>2. For the second violation, suspension from one (1) academic year to expulsion;</p> <p>For the first and second violations, the student shall be required to undergo counseling. Rehabilitation may be required at the student's expense. The parent/s or guardian/s of the student shall be notified and shall be involved in the crafting of rehabilitation programs;</p> <p>3. For the third violation, expulsion.</p> |
| <p>e. Gambling within the University premises;</p> | <p>Admonition to suspension for three (3) days to two (2) months or community service. The student may be advised to undergo counseling.</p> |
| <p>f. Undermining or obstructing any investigation or proceeding, and/or willfully disobeying any written lawful order or directive by the Chancellor, Vice-Chancellors, Deans, Directors of academic units, College Secretaries, OSA Director and members of disciplinary bodies, including but not limited to, summons for purposes of investigation and other proceedings.</p> | <p>1. For the first violation, suspension for seven (7) days to thirty (30) days or community service;</p> <p>2. For the second violation, suspension for thirty (30) days to one (1) semester or community service;</p> <p>3. For the third violation, expulsion.</p> |
| | <p>Possible additional corrective measure: Disqualification from graduation with honors.</p> |

| Section 1.5. Violation of Policies on the Use of IT Resources ⁶ | |
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| Violation of the University policies on the use of IT resources; | Possible additional sanction: disqualification from graduation with honors. |

Section 2. Acts of Misconduct and Corrective Measures for Registered Student Organizations

A registered student organization shall be subject to disciplinary action for any of the following acts without prejudice to the filing of a case against a member as a student:

| Acts of Misconduct (See Appendix A.) | Corrective Measures (See Appendix B.) |
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| Section 2.1. Fraud⁷ | |
| a. Making a false statement and practicing or attempting to practice any deception or fraud in connection with application for registration on behalf of the organization; | 1. For the first violation, suspension of registration for six (6) months to one (1) year; 2. For the second violation, suspension of registration for one (1) year and one (1) day to two (2) years; 3. For the third violation, suspension of registration for two (2) to five (5) years; 4. For the fourth violation, disqualification from registration for at least five (5) years, until conditions imposed by the disciplinary body are met; |
| b. Making a false statement and practicing or attempting to practice any deception or fraud in connection with use of University facilities on behalf of the organization; | |
| c. Making a false statement and practicing or attempting to practice any deception or fraud in connection with application in any University-funded or managed grant or prize on behalf of the organization; | |
| d. Making a false statement and practicing or attempting to practice any deception or fraud in connection with application for <i>tambayan</i> on behalf of the organization; | |
| | Provided, that in addition to the corrective measures above, the following shall be imposed: For a: Community service, the length of |

⁶ See the Approved Acceptable Use Policy (AUP) for Information Technology (IT) Resources of the UP System, approved by the Board of Regents on 1 February 2003, posted in the website of the University (<http://www.up.edu.ph>), and other documents.

⁷ Violations under Article IV Section 2.1 shall be counted cumulatively.

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| <p>e. Making a false statement and/or withholding information in relation to the changes in the organization's membership and officers within the duration of registration on behalf of the organization.</p> | <p>which to be determined by the Office of Student Activities (OSA) or the College, shall be imposed;</p> <p>For b, d and e: Community service, the length of which to be determined by the OSA or the College, shall be imposed;</p> <p>For c: restitution and/or fine equivalent to the amount of the grant;</p> <p>For b, c, d and e: Suspension of all officers for one (1) semester to expulsion; second violation, expulsion.</p> <p>Provided further, that restoration of registration is contingent upon fulfillment of obligations.</p> |
| <p>Section 2.2. Harm</p> | |
| <p>Section 2.2.1. Harm to Persons</p> | |
| <p>a. Creating and/or engaging in disorder, tumult, breach of peace, or serious disturbance such as, but not limited to, rumbles, within the University premises, resulting in harm to persons;</p> | <p>1. For the first violation, suspension of registration for one (1) semester to one (1) year. The organization shall be required to pay actual damages;</p> <p>2. For the second violation, suspension of registration for one (1) year to five (5) years. The organization shall be required to pay actual damages;</p> <p>3. For the third violation, disqualification from registration for at least five (5) years, until conditions imposed by the disciplinary body are met. The organization shall be required to pay actual damages.</p> |
| <p>b. Accepting a student who has not completed a one-semester residency in UP Diliman for membership in a registered student organization;</p> | <p>1. For the first violation, suspension of registration for six (6) months;</p> <p>2. For the second violation, suspension of registration for one (1) year;</p> <p>3. For the third violation, disqualification from registration for at least five (5) years, until conditions imposed by the disciplinary body are met.</p> |
| <p>c. Any violation as described in RA 8049 otherwise known as the Anti-Hazing Law.</p> | <p>Disqualification from registration for at least five (5) years, until conditions</p> |

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| | imposed by the disciplinary body are met. The officers of the organization shall be charged under Article IV Section 1.3.1.c. |
| Section 2.2.2. Damage to Property | |
| a. Damaging or defacing property within University premises, including but not limited to, littering, vandalism, and with use of hazardous chemicals, use of explosives or incendiary materials; | For every violation, suspension of registration for one (1) month to five (5) years, to be served successively. The officers and members shall be required to make restitution and/or reparation. Additional corrective measure: Community service, the length of which to be determined by OSA or the College, shall be imposed. |
| b. Appropriating for the student organization property of another; | For every violation, suspension of registration for six (6) months to five (5) years. The officers and members shall be required to make restitution and/or reparation and a fine equivalent to the value of the property appropriated; Additional corrective measure: Community service, the length of which to be determined by OSA or the College. |
| Section 2.3 Any other form of misconduct | |
| a. Wilfully disobeying any lawful written order or directive by the Chancellor, Vice-Chancellors, Deans, Directors of academic units, College Secretaries, OSA Director and members of disciplinary bodies, including but not limited to, summons for purposes of investigation and other proceedings. | Suspension of registration for one (1) month to disqualification from recognition for at least five (5) years, until conditions imposed by the disciplinary body are met. |
| b. Engaging in any other form of misconduct, whether within or outside University premises, significantly affecting the good order and welfare and/or good name of the University, and/or which violates the provisions of this Code regarding student organizations. | |

Section 3. Prescription

Cases of intellectual dishonesty shall prescribe twenty years after discovery of the misconduct. All other cases of serious misconduct shall prescribe upon graduation. All cases of less serious misconduct shall prescribe six (6) months after discovery of the misconduct or upon graduation, whichever comes earlier. Cases of misconduct of student organizations shall prescribe five years after discovery of the misconduct.

V. Procedure

This Code provides three (3) sets of procedures: for intellectual dishonesty (Article V Section 2), for other misconduct involving a student (Article V Section 3), and for student organizations (Article V Section 4).

In cases of sexual harassment, the complaint shall be referred to the UP Diliman Office of Anti-Sexual Harassment.

Section 1. Disciplinary Bodies

There are three (3) disciplinary bodies in the University: the Student Disciplinary Council (SDC), the College Disciplinary Committee (CDC) and the Inter-College Disciplinary Committee (ICDC). In addition, the Vice Chancellor for Student Affairs forms Ad Hoc Disciplinary Hearing Committees to hear cases involving student organizations.

The members of all disciplinary committees including ad hoc disciplinary hearing committees, have the duty to disclose their relationships of any nature and to any extent with the parties involved, to the appointing authority. Upon their acceptance of the appointment, members of the ad hoc committees shall undergo orientation on the Code of Student Conduct.

Section 1.1. The Student Disciplinary Council (SDC)

Section 1.1.1. Composition of the Student Disciplinary Council (SDC)

The Student Disciplinary Council (SDC) is a body formed by the Chancellor under the administrative supervision of the Vice Chancellor for Student Affairs, for the purpose of implementing the pertinent provisions of this Code. The Chancellor shall appoint five (5) tenured members of the faculty, as members of the SDC, one of whom shall be appointed the SDC Chair. Appointees must be regular faculty who are not on leave, sabbatical, secondment or special detail.

At its initial constitution, three (3) of the members of the SDC, including its Chair, shall serve a term of three (3) years. The other two (2) shall serve a term of two (2) years. Thereafter, upon the expiry of the three- and two-year terms, members shall serve for two years. A vacancy in SDC due to leave, sabbatical, secondment, special detail or other reasons shall be filled by the Chancellor. The replacement shall serve a term of two (2) years.

The SDC shall have an office and appropriate staff.

Section 1.1.2. Jurisdiction and Functions of the Student Disciplinary Council (SDC)

The SDC shall form ad hoc committees that will hear and resolve cases involving serious misconduct, except intellectual dishonesty, and less serious misconduct involving more than one college. Two or more colleges are involved when the incident subject of the complaint took place within the premises of a college(s), allegedly committed by a student(s) of another college(s).

Hearing committees formed by the SDC, except for cases of intellectual dishonesty, shall be composed of three (3) members, two (2) of whom shall be tenured, regular faculty who are not on leave, sabbatical, secondment or special detail, while the third member shall be an elected member of the University Student Council.

Student members must have the following qualifications:

- a. Good moral character, defined as not having been found guilty of any offense in a court of law or liable in a student disciplinary body, and is not the subject of any pending case;
- b. Good academic standing, defined herein as having passed at least 75% of units enrolled in the previous semester; carrying a full or regular academic load in the current and previous semesters, except in the case of graduate student members who need not carry or have carried a full load; and not having exceeded the Maximum Residence Rule; and
- c. Residency in the University for at least one (1) year.

Graduating students may not be appointed to hearing committees.

A faculty adviser of a student organization may not serve in a committee hearing a complaint against the student organization or any member of the student organization s/he advises. An official or member of a student organization may not serve in a committee hearing a complaint against her/his student organization or any member of her/his student organization.

Continuing qualifications are required to remain in the hearing committee until the conclusion of its work.

Faculty and student members of ad hoc hearing committees shall be nominated by their respective Deans. The student member of the committee hearing a complaint against an undergraduate student(s) shall be an undergraduate, while the student member of the committee

hearing a complaint against a graduate student(s) shall be a graduate student.

Hearing committees constituted by the colleges for intellectual dishonesty cases shall be composed of three (3) or five (5) tenured, regular faculty who are not on leave, sabbatical, secondment or special detail. However, in a case of intellectual dishonesty concerning two or more colleges whose Deans are unable to form an Inter-College Disciplinary Committee (See Article V Section 1.3.1), the SDC shall appoint the members of the ICDC, who shall come from the Colleges involved.

The SDC shall receive copies of all complaints and case reports involving student misconduct. It shall monitor the progress and resolution of all cases, including enforcement of corrective measures, and submit status reports to the Chancellor.

The SDC shall conduct orientation on the Code of Student Conduct for all ad hoc disciplinary committees.

Section 1.2. The College Disciplinary Committee (CDC)

Section 1.2.1. Composition of the College Disciplinary Committee (CDC)

The CDC is an ad hoc committee formed by the Dean for the purpose of implementing the pertinent provisions of this Code. The Dean shall not sit as a member of the CDC but may observe the proceedings. In cases of intellectual dishonesty, the CDC shall be composed of three (3) tenured, regular faculty who are not on leave, sabbatical, secondment or special detail. The Committee members shall select a Chair from among themselves. In all other cases, the hearing committee shall be composed of three (3) members, two (2) of whom shall be tenured, regular faculty who are not on leave, sabbatical, secondment or special detail, while the third member shall be an elected member of the College Student Council.

Student members must have the following qualifications:

- a. Good moral character, defined as not having been found guilty of any offense in a court of law or liable in a student disciplinary body, and is not the subject of any pending case;
- b. Good academic standing, defined herein as having passed at least 75% of units enrolled in the previous semester; carrying a full or regular academic load in the current and previous semesters, except in the case of graduate student members who need not carry or have carried a full load;

- and not having exceeded the Maximum Residence Rule;
and
- c. Residency in the University for at least one (1) year.

Graduating students may not be appointed to hearing committees.

In cases where there is no College Student Council or when no member of the College Student Council is qualified, the Dean shall appoint a student who meets the aforementioned qualifications.

A faculty adviser of a student organization may not serve in a committee hearing a complaint against the student organization or any member of the student organization s/he advises. An official or member of a student organization may not serve in a committee hearing a complaint against her/his student organization or any member of her/his student organization.

Continuing qualifications are required to remain in the hearing committee until the conclusion of its work.

The student member of the committee hearing a complaint against an undergraduate student(s) shall be an undergraduate, while the student member of the committee hearing a complaint against a graduate student(s) shall be a graduate student.

Under special circumstances, the Dean may request the SDC for an external member of the CDC.

Section 1.2.2. Jurisdiction and Functions of the College Disciplinary Committee (CDC)

The CDC shall hear and resolve cases of intellectual dishonesty, less serious misconduct, and all other cases where the students involved belong to the College and the incident occurred within College premises, without prejudice to the discretion of the Dean to refer the latter cases to the SDC.

Section 1.3. The Inter-College Disciplinary Committee (ICDC)

Section 1.3.1. Composition of the Inter-College Disciplinary Committee (ICDC)

The ICDC is an ad hoc committee formed by the Deans of two (2) or more Colleges, for the purpose of implementing the pertinent provisions of this Code, when a student of a College is alleged to have committed intellectual dishonesty in another College. The Dean of the College

where the misconduct was committed shall initiate the constitution of the ICDC. The ICDC shall be composed of an odd number of members, one each from the colleges concerned, and one or two from disinterested college/s. Each member of the ICDC shall be tenured, regular faculty not on leave, sabbatical, secondment or special detail. The ICDC members shall select a chair from among themselves.

Should the Deans involved be unable to form the ICDC within 14 days from the receipt of the complaint, owing to a fundamental difference in position or some other substantive constraint, the SDC shall appoint the members of the ICDC. The Deans concerned may observe the proceedings.

Section 1.3.2. Jurisdiction and Functions of the Inter-College Disciplinary Committee (ICDC)

The ICDC shall hear and resolve cases of intellectual dishonesty involving more than one college.

Section 1.4. Compensation

The Office of the Chancellor shall determine the compensation for members of disciplinary bodies, in accordance with duly approved rates.

Section 2. Procedure for cases involving intellectual dishonesty (See attached flowchart.)

Section 2.1. How Commenced

An incident involving intellectual dishonesty may be reported, orally or in writing and duly signed, by anyone directly to the Dean, or through a faculty member, of the college where the incident occurred. Oral reports shall be put in writing and duly signed by the person filing the report, copy furnished the SDC. The Dean shall, within one (1) week from receipt of report, determine whether a CDC or an ICDC should be constituted, and write the Dean's Report, copy furnished the SDC.

Section 2.2. Parties

In all cases of intellectual dishonesty, the University is deemed the complainant. The student/s reported to have committed the act of misconduct constituting intellectual dishonesty is/are the respondent/s.

Section 2.3. Representation of parties and right to counsel

The University shall be represented by a tenured, regular member of the University Council who is not on leave, sabbatical, secondment or special detail, who is appointed by the Chancellor.

The respondent/s shall represent himself/herself/themselves, and shall have the right to counsel. The counsel's role shall be limited to advice. The counsel of choice may be any person who can assist the respondent.

Section 2.4. Constitution of the College Disciplinary Committee (CDC) or the Inter-College Disciplinary Committee (ICDC)

The Dean/s constitute/s the CDC or the ICDC within one (1) week from the determination of jurisdiction by the Dean, in accordance with Article V Sections 1.2.1 and 1.3.1 of Procedure.

Section 2.5. Proceedings

The CDC or ICDC shall not be bound by technical rules of evidence and all proceedings shall be summary in nature. The parties and their witnesses, if any, shall submit affidavits subject to clarificatory questions by the disciplinary committee. The following requests to the disciplinary committee shall be prohibited:

- a. Extension of time to file an answer;
- b. Dismissal of the complaint;
- c. Re-opening of a case;
- d. Demurrer to evidence;
- e. Postponements/cancellation of hearings;
- f. Reply/rejoinder;
- g. Intervention; and
- h. New proceedings on the same case

The preliminary meeting, hearings, and all other meetings of the CDC or ICDC shall proceed when a majority of the members are present.

Section 2.6. Summons

The CDC or ICDC shall, within five (5) days, from its constitution, issue summons to the respondent with a copy of the complaint and the Dean's Report, copy furnished the Dean and the SDC. The summons shall be served within another five (5) days

- a. personally to the respondent through the Department Chair, Institute Director and/or the Secretary of the College to which s/he belongs or through the Office of the University Registrar (OUR) if the respondent does not belong to any college;

- b. by electronic mail to the respondent's UP Webmail account, wherein the respondent is presumed to have received the Summons;
- c. by registered mail to the respondent's residence address indicated in her/his latest Form 5, wherein the respondent is presumed to have received the Summons ; and
- d. to the minor respondent's parents or guardians.

Proof of receipt of summons served through the Department Chair, Institute Director, the College Secretary or the OUR shall be submitted to the CDC or ICDC within two (2) days.

These modes of service of summons shall also apply to the service of notices, decisions and other communications.

Section 2.7. Answer

The respondent shall answer in writing within a non-extendible period of five (5) days from receipt of the summons and the Dean's Report. If the respondent fails to answer within the time period, s/he is deemed to have waived her/his right to present her/his side.

Section 2.8. Appearances and Participation During Hearings

The University shall appear through its duly authorized representative as provided in Article V Section 2.3. If the complainant is a tenured member of the University Council, s/he may represent the University.

The respondent shall appear in person and may be accompanied by parents, guardians and counsel. The participation of her/his parents, guardians and counsel shall be limited to advice.

Section 2.9. Notice of Hearing

The CDC or ICDC shall serve to the parties a notice of dates of preliminary meeting and hearings in such a manner as shall ensure the receipt of the notice at least three (3) days before the date of the initial hearing.

Section 2.10. Preliminary Meeting

The preliminary meeting shall be mandatory. The CDC or ICDC shall set the preliminary meeting date not later than one (1) week after receipt of the respondent's answer or after the expiration of the period within which the respondent should answer.

Failure of the University and/or the private complainant to appear shall be ground to dismiss the complaint.

Failure of the respondent to appear shall have the same effect as failure to answer.

During the preliminary meeting, the parties shall consider all matters that will aid in the prompt disposition of the case, such as any facts admitted, marking of documents to be presented, dates of hearings, identity of witnesses and the gist of their testimony.

Matters taken and agreed upon during the preliminary meeting shall be reduced in writing and attested to by the members of the CDC or ICDC present, the University representative and/or the private complainant, and the respondent. The preliminary meeting report shall be binding on the parties. The parties may also agree to submit the case for resolution during the preliminary meeting.

Section 2.11. Hearings

The initial hearing must be set not later than one (1) week after the preliminary meeting. Hearings must be completed within a non-extendible period of two (2) months after the initial hearing, after which the CDC or ICDC shall resolve the case.

Section 2.12. CDC or ICDC Report

The CDC or ICDC shall submit its resolution and recommended corrective measures, if any, to the Dean within fifteen (15) days after the final hearing. The resolution shall be in writing and signed by a majority of its members. It shall include a brief statement of the findings of fact and the specific regulations on which the resolution and recommended corrective measures are based. It shall note the attendance of CDC or ICDC members of meetings and hearings.

Section 2.13. Dean's Action

The Dean shall adopt the resolution and shall affirm or modify the recommended corrective measures within prescribed range, if any, within seven (7) days.

Section 2.14. Service of the Dean's Action

The parties shall each be served a copy of the Dean's Action in the same manner as the provisions of Article V Section 2.6, copy furnished the SDC. The duly appointed representative of the University shall submit a copy of the resolution to the Chancellor, who shall inform the UP Diliman Executive Committee of the same.

Section 2.15. Appeal

The Dean's action may be appealed by either party to the UP Diliman Executive Committee within seven (7) working days from receipt of the decision, through the Chancellor. The UP Diliman Executive Committee shall decide the appeal within two (2) months from receipt of the appeal. Its decision may be appealed to the Board of Regents (BOR) within seven (7) working days upon receipt of the decision by the UP Diliman Executive Committee, through the President.

Section 2.16. Finality and Enforcement of the Dean's Action

If no appeal is made by any party, the Dean's action shall be final and immediately be enforced upon the expiration of the period for filing an appeal.

The final decision shall be executory upon receipt personally by the respondent or her/his parent(s)/guardian(s)/nearest relative and/or by registered mail. The parent/s/guardian/s shall be furnished a copy of the decision. The resolution shall be executed by the Dean of the College to which the respondent belongs. In the case of expulsion, the resolution shall be executed by the Chancellor.

If the decision involves suspension, the College Secretary and concerned professors shall be notified.

Section 2.17. Implementation of Corrective Measures Involving Suspension

Final decision of suspensions of thirty (30) to sixty (60) days, which are executory within thirty (30) days prior to the first day of the final examination period, shall take effect on the first day of classes during the subsequent semester, except when the respondent is graduating, in which case the corrective measure shall immediately take effect upon the final decision in accordance with Article V Section 2.15. The SDC, the Office of the University Registrar (OUR), the College Secretary and concerned professors shall be informed of the implementation of the corrective measure.

Section 3. Procedure for other acts of misconduct (See attached flowchart.)

This Section pertains to the procedure for acts of misconduct other than intellectual dishonesty.

Section 3.1. How commenced

An incident involving student misconduct may be reported, orally or in writing and duly signed, by anyone to any College or University official. Oral reports shall be put in writing and duly signed by the person filing the report,

copy furnished the SDC. The recipient of the complaint other than the Dean shall, within three (3) days, report the complaint to the Dean or to the SDC.

Section 3.2. Parties

In all cases of student misconduct, the University is deemed the complainant, together with a private complainant, if any. The student reported to have committed the act of misconduct is the respondent.

Section 3.3. Representation and Right to Counsel

The University shall be represented by a tenured, regular member of the University Council who is not on leave, sabbatical, secondment or special detail, who is appointed by the Chancellor.

The respondent/s shall represent himself/herself/themselves, and shall have the right to counsel. The counsel's role shall be limited to advice. The counsel of choice may be any person who can assist the respondent.

Section 3.4. Determination of Jurisdiction and probable cause

The Dean or the SDC Chair shall determine whether

- a. the act subject of the complaint is serious or less serious misconduct;
- b. the misconduct occurred in more than one college;
- c. the students involved belong to more than one college; and,
- d. there is probable cause.

The Dean or the SDC shall determine jurisdiction of the case and, when necessary, refer the case within seven (7) days to the appropriate forum, in accordance with Article V Sections 3.4.1 and 3.4.2.

Section 3.4.1. Jurisdiction of the College Dean

In all cases where the act subject of the complaint is less serious and/or is committed within a particular college and involves only students belonging to said college, the concerned College Dean shall take jurisdiction of the case.

Section 3.4.2. Jurisdiction of the Student Disciplinary Council

In all other cases not falling under the jurisdiction of the College Dean, the Student Disciplinary Council shall take cognizance of the case.

Section 3.5. Procedure to be followed by the College Dean

Section 3.5.1. Alternative Dispute Resolution

In all cases involving less serious misconduct, where Alternative Dispute Resolution (ADR) methods are applicable, the Dean shall, within one (1) week after the determination of jurisdiction, resolve the case by employing such methods. ADR employs any process to amicably settle a dispute involving less serious misconduct by which the dispute is resolved by the parties themselves with the assistance of a neutral third party.

Upon arriving at a resolution, the same shall be made in writing, embodying all the terms agreed upon, copy furnished the SDC. Such written resolution, when signed by the Dean, shall be final and immediately executory.

Section 3.5.2. College Disciplinary Committee (CDC)

In cases where ADR is either inapplicable or where it was employed but no resolution had been arrived at, the Dean shall form a CDC within one (1) week after the determination of jurisdiction, or after the conclusion of the unsuccessful alternative dispute resolution, as the case may be. The Dean shall forward the complaint to the CDC and direct the same to take cognizance of the case.

The CDC shall hear and resolve the case in accordance with Article V Section 2.5 to 2.16, except that an appeal of a decision shall be made directly to the BOR.

Section 3.6. Procedure to be followed by the Student Disciplinary Council

Section 3.6.1. Jurisdiction of the SDC Chair

In all cases cognizable by the SDC, where the act subject of the complaint is less serious as defined in this Code, the SDC Chair shall have jurisdiction.

Section 3.6.2. Procedure before the SDC Chair

In all cases where Alternative Dispute Resolution methods are applicable, the SDC Chair shall resolve the case by employing such methods. Upon arriving at a resolution, the same shall be made in writing embodying all the terms agreed upon. Such written resolution, when signed by the SDC Chair, shall be final and immediately executory.

In cases where ADR is either inapplicable or where it was employed but no resolution had been arrived at, and in all cases of serious misconduct other than intellectual dishonesty, the SDC shall form an Ad

Hoc Disciplinary Hearing Committee, within one (1) week after the conclusion of the unsuccessful alternative dispute resolution.

Section 3.6.3. Constitution of the Ad Hoc Disciplinary Hearing Committee (AHDHC)

The SDC shall constitute the Ad Hoc Disciplinary Hearing Committee within one (1) week of receipt of the SDC Chair's referral.

Section 3.6.4. Proceedings

The Ad Hoc Disciplinary Hearing Committee shall not be bound by technical rules of evidence and all proceedings shall be summary in nature. The parties and their witnesses, if any, shall submit affidavits subject to clarificatory questions by the disciplinary committee. The following requests to the Ad Hoc Disciplinary Hearing Committee shall be prohibited:

- a. Extension of time to file an answer;
- b. Dismissal of the complaint;
- c. Re-opening of a case;
- d. Demurrer to evidence;
- e. Postponements/cancellation of hearings;
- f. Reply/rejoinder;
- g. Intervention; and
- h. New proceedings on the same case.

The preliminary meeting, hearings, and all other meetings of the Ad Hoc Disciplinary Hearing Committee shall proceed when a majority of the members are present.

Section 3.6.5. Summons

The Ad Hoc Disciplinary Hearing Committee shall, within three (3) to five (5) days from its constitution, issue summons to the respondent with a copy of the complaint and the Dean's and/or SDC Chair's referral. The summons shall be served within another five (5) days

- a. personally to the respondent through the Department Chair, Institute Director and/or the Secretary of the College to which s/he belongs or through the Office of the University Registrar (OUR) if the respondent does not belong to any college;
- b. by electronic mail to the respondent's UP Webmail account, wherein the respondent is presumed to have received the Summons;
- c. by registered mail to the respondent's residence address indicated in her/his latest Form 5, wherein the respondent is presumed to have received the Summons; and

d. to the minor respondent's parents or guardians.

Proof of receipt of summons served through the Department Chair, Institute Director, the College Secretary or the OUR shall be submitted to the Ad Hoc Disciplinary Hearing Committee within two (2) days.

It is incumbent upon the respondent to notify the University through her/his home College, or the OUR, of any change of address during the pendency of the case. Otherwise s/he is bound by the address given in her/his last Form 5. Receipt by the parents will be considered receipt by the respondent.

These modes of service of summons shall apply to the service of notices, decisions and other communications.

Section 3.6.6. Answer

The respondent shall answer in writing within a non-extendible period of five (5) days from receipt of the summons and the complaint. If the respondent fails to answer within the time period, he/she is deemed to have waived her/his right to present her/his side.

Section 3.6.7. Appearances

The University shall appear through its duly authorized representative as provided in Article V Section 2.3. If the complainant is a tenured member of the University Council, s/he may represent the University.

The respondent shall appear in person and may be accompanied by parents, guardians and counsel. The participation of her/his parents, guardians and counsel shall be limited to advice.

Section 3.6.8. Notices

The Ad Hoc Disciplinary Hearing Committee shall serve to the parties, Dean, College Secretary, Department Chair/Institute Director, and parent(s)/guardian(s), a notice of dates of preliminary meeting and hearings in such a manner as shall ensure the receipt of the notice at least three (3) days before the date of the meeting/hearing.

Section 3.6.9. Preliminary Meeting

The preliminary meeting shall be mandatory. The Ad Hoc Disciplinary Hearing Committee shall set the preliminary meeting date not later than one (1) week after receipt of the respondent's answer or after the expiration of the period within which the respondent should answer.

Failure of the University and/or the private complainant to appear shall be ground to dismiss the complaint.

Failure of the respondent to appear shall have the same effect as failure to answer.

During the preliminary meeting, the parties shall consider all matters that will aid in the prompt disposition of the case, such as any facts admitted, marking of documents to be presented, dates of hearings, identity of witnesses and the gist of their testimony; and, in less serious cases, an amicable settlement.

Matters taken and agreed upon during the preliminary meeting shall be reduced in writing and attested to by the members of the Ad Hoc Disciplinary Hearing Committee present, the University representative and/or the private complainant, and the respondent. The preliminary meeting report shall be binding on the parties. The parties may also agree to submit the case for resolution during the preliminary meeting.

Section 3.6.10. Duration of hearing

The initial hearing must be set not later than one (1) week after the receipt by the parties of the preliminary meeting report. Hearings must be completed within two (2) months after the initial hearing after which the Ad Hoc Disciplinary Hearing Committee shall decide the case.

Section 3.6.11. SDC decision

Within fifteen (15) days after the final hearing, the Ad Hoc Disciplinary Hearing Committee shall submit its decision to the SDC, which shall adopt or modify the corrective measure within the prescribed range, within seven (7) days after receipt. The SDC shall immediately transmit the same to the Chancellor, copy furnished the Dean/s, College Secretary/ies and Institute Director/s/Department Chair/s concerned.

The Ad Hoc Disciplinary Hearing Committee decision shall contain the findings of fact, the applicable provisions of this Code, and the corresponding corrective measures. It shall note the attendance of the Ad Hoc Disciplinary Hearing Committee members of meetings and hearings.

Section 3.6.12. Service of decision

The parties concerned shall each be served a copy of the SDC decision. The respondent shall be served in the manner provided in Article V Section 2.6.

Section 3.6.13. Appeal

The resolution may be appealed by either party to the UP Diliman Executive Committee within seven (7) working days from receipt of the resolution, through the Chancellor. The UP Diliman Executive Committee shall decide the appeal within two (2) months. Its decision may be appealed to the Board of Regents (BOR) within seven (7) working days upon receipt of the decision of the UP Diliman Executive Committee, through the President.

Section 3.6.14. Finality and enforcement of the decision

If no appeal is made, the Dean/s shall immediately enforce the decision upon receipt personally by the respondent or her/his parent(s)/guardian(s)/nearest relative and/or by registered mail. It is incumbent upon the respondent to notify the University through her/his home College, of any change of address during the pendency of the case. Otherwise s/he is bound by the address given in her/his last Form 5. The parent/s/guardian/s shall be furnished a copy of the decision.

If the decision involves suspension, the College Secretary and the concerned professors shall be notified.

Section 3.6.15. Implementation of Corrective Measures Involving Suspension

Final decision of suspensions of thirty (30) to sixty (60) days, which are executory within thirty (30) days prior to the first day of the final examination period, shall take effect on the first day of classes during the subsequent semester, except when the respondent is graduating, in which case the suspension shall immediately take effect upon receipt of the final decision in accordance with Article V Section 3.5.15.

Section 4. Procedure for Misconduct of Registered Student Organizations (See attached flowchart.)

Section 4.1. How commenced

An incident involving misconduct of a student organization may be reported, orally or in writing and duly signed, by anyone to any College or University official. Oral reports shall be put in writing and duly signed by the person filing the report. The recipient of the complaint shall, within twenty-four (24) hours, report the complaint to the Office of Student Activities (OSA) or to the Dean of the College concerned.

Section 4.2. Parties

In all misconduct cases involving student organizations, the University is the complainant, together with a private complainant, if any. The student organization, represented by its head, is the respondent.

Section 4.3. Determination of Jurisdiction and Probable Cause

The Dean or the OSA shall determine whether the student organization involved is College- or University-registered. College-registered organizations fall under the jurisdiction of the Dean while University-registered organizations fall under the jurisdiction of the OSA.

The Dean or the OSA shall determine jurisdiction of the case and forward the report to the appropriate forum, in accordance with Article V Sections 4.3.1 and 4.3.2, within three (3) days, copy furnished the SDC.

Section 4.3.1. Jurisdiction of the College Dean

The College Dean shall have jurisdiction of the case when the act subject of the complaint involves a College-registered student organization.

If the Dean refuses or fails to assume jurisdiction within three (3) days, the OSA shall take jurisdiction of the case.

Section 4.3.2. Jurisdiction of the Office of Student Activities (OSA) and the Office of the Vice Chancellor for Student Affairs (OVCSA)

The OSA and the OVCSA shall have jurisdiction over all cases involving University-registered student organizations.

Section 4.4. Procedure to be followed by the College Dean

Section 4.4.1. Alternative Dispute Resolution (ADR)

The Dean shall, within seven (7) days after determination of jurisdiction and probable cause, resolve the case by employing ADR methods. Upon arriving at a resolution, the same shall be made in writing embodying all the terms agreed upon, copy furnished the OSA. Such written resolution, when signed by the Dean, shall be final and immediately executory.

Section 4.4.2. College Disciplinary Committee (CDC)

In cases where ADR failed, the Dean shall form a CDC within one (1) week after the unsuccessful ADR has been concluded, which shall assume jurisdiction over the case.

The preliminary meeting, hearings and all other meetings of the CDC shall proceed when a majority of the members are present.

Section 4.5. Procedure to be followed by the College Disciplinary Committee (CDC)

Section 4.5.1. Summons

The CDC shall, within three (3) days from its constitution, send a copy of the complaint and issue summons to the respondent, represented by any of the student organization's officers, through the College Secretary. The faculty adviser/s shall be furnished a copy of the complaint and summons. Proof of receipt of the summons shall be submitted to the CDC within two (2) days.

This mode of service of summons shall apply to the service of notices, decisions and other communications.

Section 4.5.2. Answer

The respondent shall answer in writing, signed by the head of the student organization, within seven (7) days from receipt of the summons and the complaint. If the respondent fails to answer within the time period, it is deemed to have waived its right to present evidence on its behalf.

Section 4.5.3. Appearances

The College shall appear as complainant through its duly authorized representative appointed by the Dean from among its regular faculty. The respondent shall appear through its head with the assistance of its faculty adviser/s and/or counsel, whose role shall be limited to advice.

Section 4.5.4. Notices

The CDC shall serve to the parties a notice of dates of preliminary meeting and hearings in such a manner as shall ensure the receipt of the notice at least three days before the date of the initial hearing.

Section 4.5.5. Preliminary Meeting

The preliminary meeting shall be mandatory. The CDC shall set the preliminary meeting date not later than one (1) week after receipt of the respondent's answer or after the expiration of the period within which the respondent should answer.

Failure of the College and/or the private complainant to appear shall be ground to dismiss the complaint.

Failure of the respondent to appear shall have the same effect as failure to answer.

During the preliminary meeting, the parties shall consider all matters that will aid in the prompt disposition of the case, such as any facts admitted, marking of documents to be presented, dates of hearings, identity of witnesses and the gist of their testimony; and, in less serious cases, an amicable settlement.

Matters taken and agreed upon during the preliminary meeting shall be reduced in writing and attested to by the members of the CDC present, the College representative and/or the private complainant, and the respondent. The preliminary meeting report shall be binding on the parties. The parties may also agree to submit the case for resolution during the preliminary meeting.

Section 4.5.6. Duration of hearing

Hearings must be completed within two months after the preliminary hearing, after which the CDC shall resolve the case.

Section 4.5.7. CDC decision

Within fifteen (15) days after the final hearing, the CDC shall submit its decision to the Dean.

The CDC decision should contain the findings of fact, the applicable provisions of this Code, and the corresponding corrective measures. It shall note the attendance of CDC members of meetings and hearings.

Section 4.5.8. Dean's Action

The Dean shall adopt the resolution and shall affirm or modify the recommended corrective measure within prescribed range, if any, within seven (7) days.

Section 4.5.9. Service of decision

The parties concerned shall each be served a copy of the CDC decision, copy furnished the OSA.

The decision of the CDC is final and executory fifteen (15) days upon receipt by the party.

Section 4.6. Procedure to be followed by the Office of the Vice Chancellor for Student Affairs (OVCSA) and the Office of Student Activities (OSA)

Section 4.6.1. Procedure before the OSA Head

All complaints involving less serious misconduct shall be submitted for ADR before the OSA Head and resolved within one (1) week. Upon arriving at a resolution, the same shall be made in writing embodying all the terms agreed upon. Such written resolution, when signed by the OSA Head and the parties involved, shall be final and immediately executory.

In cases where ADR is inapplicable, unsuccessful or refused by the parties, the OSA Head shall refer the case to the Vice Chancellor for Student Affairs, who shall, within one (1) week, constitute an Ad Hoc Disciplinary Hearing Committee (AHDHC) to hear and decide the case. The Committee shall be composed of three appointees of the Vice Chancellor, one of whom shall be appointed Chair. They shall have the same qualifications as members of the CDC, ICDC and SDC.

Section 4.6.2. Procedure before the Ad Hoc Disciplinary Hearing Committee (AHDHC)

The preliminary meeting, hearings, and all other meetings of the Ad Hoc Disciplinary Hearing Committee shall proceed when a majority of the members are present.

Section 4.6.2.1 Summons

The Ad Hoc Disciplinary Hearing Committee shall, within three (3) days from its constitution, issue summons to the respondent, through any of its officers, with a copy of the complaint, copy furnished the faculty adviser/s. The respondent is presumed to have received a copy of the summons and the complaint within three (3) days from issuance.

These modes of service of summons shall also apply to the service of notices, decisions and other communications.

Section 4.6.2.2. Answer

The respondent shall answer in writing, signed by the head of the student organization, within seven (7) days from receipt of the summons and the complaint. If the respondent fails to answer within the time period, it is deemed to have waived its right to present evidence on its behalf.

Section 4.6.2.3. Appearances

The University shall appear as complainant through the Office of the Vice Chancellor for Student Affairs.

The respondent shall appear through its head with the assistance of its faculty adviser/s and/or counsel, whose role shall be limited to advice.

Section 4.6.2.4. Preliminary Meeting

The mandatory preliminary meeting shall be set not later than one (1) week after receipt of the answer or after the expiration of the period within which to answer.

Failure of the University and/or the private complainant to appear shall be ground to dismiss the complaint.

Failure of the respondent to appear shall have the same effect as failure to answer.

During the preliminary meeting, the parties shall consider all matters that will aid in the prompt disposition of the case, such as any facts admitted, marking of documents to be presented, dates of hearings, identity of witnesses and the gist of their testimony; and, in less serious cases, an amicable settlement.

Matters taken and agreed upon during the preliminary meeting shall be reduced in writing and attested to by the members of the Ad Hoc Disciplinary Hearing Committee present, the University representative and/or the private complainant, and the respondent. The preliminary meeting report shall be binding on the parties. The parties may also agree to submit the case for resolution during the preliminary meeting.

Section 4.6.2.5. Duration of hearing

Hearings must be completed within two months after the preliminary hearing, after which the Ad Hoc Disciplinary Hearing Committee shall resolve the case.

Section 4.6.2.6. Ad Hoc Disciplinary Hearing Committee decision

The Ad Hoc Disciplinary Hearing Committee shall decide within fifteen (15) days after the last hearing.

The Ad Hoc Disciplinary Hearing Committee decision should contain the findings of fact, the applicable provisions of this Code,

and the corresponding corrective measure. It shall note the attendance of the Ad Hoc Disciplinary Hearing Committee members of meetings and hearings.

Section 4.6.2.7. Service of decision

The AHDHC shall serve the parties its decision within two (2) days, copy furnished the Dean(s) and College Secretary(ies) concerned, when appropriate.

The respondent shall be served in the manner provided in Article V Section 4.5.1.

The decision is immediately executory upon receipt by the Office of Student Activities (OSA) and/or the Dean(s) concerned.

Section 5. Rights of Respondents.

Each respondent shall enjoy the following rights:

- a. To the integrity of the administrative procedure;
- b. To the protection that the burden of proof rests with the complainant, who must present substantial evidence;
- c. To be heard only on evidence introduced at the proceedings of which the respondent has been properly apprised;
- d. To defend herself/himself personally or, in the case of minors, through her/his parent/s/guardian/s;
- e. To be assisted by counsel of her/his choice;
- f. To a speedy and judicious resolution of the case;
- g. To request as corrective measure community service, in cases so allowed, which may only be granted by the disciplinary body concerned;
- h. To appeal a decision in accordance with the UP Charter; and
- i. To confidentiality of proceedings, documents, and records.

Section 6. Preventive Suspension

Notwithstanding the provisions of the foregoing sections, the Chancellor, through the VCSA or a Dean, may preventively suspend, for a limited period not to exceed twenty (20) days, a student in the following cases:

Misconduct as described in Article VI

Section 1.1.a, 1.1.b , 1.1.c;
Section 1.2.a, 1.2.b, 1.2.c, 1.2.d, 1.2.e, 1.2.f, 1.2.g, 1.2.h, 1.2.i;
Section 1.3.1.a, 1.3.1.b, 1.3.1.c, 1.3.1.e, 1.3.1.f,
Section 1.3.2.a, 1.3.2.b,
Section 1.4.b, 1.4.c, 1.4.e, and
Section 1.6.

Preventive suspension aims to assist investigation by preventing a student from destroying, hiding or suppressing evidence and to prevent a student from inflicting damage to persons or property.

A student under preventive suspension may be prohibited from any or all of the following:

- a. Attending classes and academic activities;
- b. Entering academic buildings and their premises;
- c. Using campus facilities, including but not limited to, athletic facilities, libraries, and computer laboratories; except dormitories for dormitory residents;
- d. Participating in student activities within University premises;
- e. Holding student jobs; and
- f. Enjoying IT privileges as defined by the current policies on IT uses and resources of the University, except online enrolment.

The preventive suspension may include other conditions set by the Chancellor or Dean.

The conditions of the preventive suspension should not prevent the student from enrolling and/or complying with academic requirements.

Section 7. Records

All proceedings before any disciplinary body shall be set down in writing by a competent official record keeper. Original records pertaining to student discipline shall be under the custody of the SDC and/or the Dean. Such records are hereby declared confidential and no person shall have access to the same for inspection or copying unless s/he is a party therein, or unless s/he has a legal right which cannot be protected or vindicated without access to or copying of such records, or unless authorized in writing by the Chancellor. Any person who violates the confidential nature of such

records shall be subject to disciplinary action, without prejudice to the filing of appropriate cases in Court.

Article VI. General Provisions

Section 1. Effectivity

This Code shall supersede all previous rules on student discipline (Rules and Regulations on Student Conduct and Discipline; and Revised Rules and Regulations Governing Fraternities, Sororities and other Student Organizations;) and shall take effect after its approval by the University Council and the Board of Regents on the first day of the succeeding semester.

Section 2. Separability Clause

If any clause, sentence, paragraph or part of this Code shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of said Code, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy.

Section 3. Amendment Clause

Any provision of this Code may be amended by a special meeting for the purpose, by the University Council. The amendment, as approved by the Board of Regents, shall take effect on the first day of the succeeding semester. Students and faculty may propose amendments to the Code.

Section 4. Repealing Clause

Existing bodies, tribunals, offices, committees, and units which are rendered obsolete by this Code are hereby dissolved; and all existing rules and regulations that are in conflict with this Code are hereby repealed.

Section 5. Transition Clause

Present bodies shall remain until the new disciplinary committees are created.

The Code shall apply to all pending cases, in so far as it will benefit the respondents.

Section 6. Review

The Chancellor shall call for the review of this Code or parts of it by faculty and students, if none has been made in ten (10) years.

Appendix A

I. Acts of misconduct of students

A. Serious

1. Intellectual dishonesty
 - a. Plagiarism;
 - b. Falsification, fabrication, distortion and/or destruction of data;
 - c. Copying or providing the means or accessing means to copy exam answers, homework, projects, laboratory experiments, term papers, etc.; possession and/or use of cheat devices during an examination; allowing another person to take an examination in one's name, and/or impersonating another student or allowing someone to impersonate oneself in an academic activity; and manipulating a corrected exam paper;
 - d. Submission of the same work in two or more courses without the instructors' consent; and
 - e. Other acts analogous to a, b, c, and/or d.
2. Fraud - deliberately making a false statement and practicing any deception or fraud in connection with
 - a. Admission to the University;
 - b. Registration in the University;
 - c. Retention in the University;
 - d. Graduation from the University;
 - e. Application to and/or receiving any scholarship or grant funded or managed by the University and its affiliated institutions;
 - f. Stealing/malversation/misuse of funds collected in connection with student activities;
 - g. Registration of student organizations;
 - h. Use of University facilities by, or in the name of, student organizations; and
 - i. Use of intellectual property of the University, which results in gain, material or otherwise.
3. Harm to persons
 - a. Creating and/or engaging in disorder, tumult, breach of peace, or serious disturbance such as, but not limited to, rumbles, within the University premises, resulting in harm to persons;
 - b. Attacking a person resulting in physical and/or psychological injury;
 - c. Engaging in any of the acts described in R.A. 8049, otherwise known as the Anti-Hazing Law;
 - d. Accepting a student who has not completed a one-semester residency in UP Diliman for membership in a registered student organization;

- e. Disrespect towards any person, which includes, but not limited to, insulting, discriminatory and/or threatening behavior; and
 - f. All acts described in the Anti-Sexual Harassment Act of 1995 (R.A. 7877) and its Implementing Rules and Regulations (IRR) approved by the Board of Regents.
4. Possession and/or use within the University premises of any dangerous or deadly or potentially deadly object or material such as, but not limited to, firearm; any bladed or pointed object; stick, pipe, or any similar object; and chemicals, unless required in her/his course;
 5. Unauthorized possession, manufacture, storage and/or use of regulated or prohibited drugs or substances enumerated in the prevailing comprehensive dangerous drugs law, within the University premises;
 6. Undermining or obstructing any investigation or proceeding, and/or wilfully disobeying any written lawful order or directive by the Chancellor, Vice-Chancellors, Deans, Directors of academic units, College Secretaries, OSA Director and members of disciplinary bodies, including but not limited to, summons for purposes of investigation and other proceedings;
 7. Violation of Policies on the Use of IT Resources;
 8. Stealing within University premises;
 9. Any other form of misconduct affecting the good order and welfare and/or good name of the University; and
 10. Damaging or defacing property within University premises, including but not limited to, littering and vandalism, in the second and third violations.

B. Less serious

1. Damaging or defacing property within University premises, including but not limited to, littering and vandalism;
2. Drinking of alcoholic beverages, except where and when expressly allowed by the Chancellor, and/or drunken behavior within University premises;
3. Smoking in accordance with the provisions of R.A. 9211; and
4. Gambling within the University.

II. Acts of misconduct of registered student organizations

A. Serious

1. Fraud
 - a. Making a false statement and practicing or attempting to practice any deception or fraud in connection with application for registration on behalf of the organization;
 - b. Making a false statement and practicing or attempting to practice any deception or fraud in connection with use of University facilities on behalf of the organization;
 - c. Making a false statement and practicing or attempting to practice any deception or fraud in connection with application in any University-funded or managed grant or prize on behalf of the organization;
 - d. Making a false statement and practicing or attempting to practice any deception or fraud in connection with application for *tambayan* on behalf of the organization; and
 - e. Making a false statement and/or withholding information in relation to the changes in the organization's membership and officers within the duration of registration on behalf of the organization.
2. Harm to persons
 - a. Creating and/or engaging in disorder, tumult, breach of peace, or serious disturbance such as, but not limited to, rumbles, within the University premises, resulting in harm to persons;
 - a. Accepting a student who has not completed a one- semester residency in UP Diliman for membership in a registered student organization;
 - b. Any violation as described in R.A. 8049, otherwise known as the Anti-Hazing Law.
3. Wilfully disobeying any lawful written order or directive by the Chancellor, Vice-Chancellors, Deans, Directors of academic units, College Secretaries, OSA Director and members of disciplinary bodies, including but not limited to, summons for purposes of investigation and other proceedings;
4. Engaging in any other form of misconduct, whether within or outside University premises, significantly affecting the good order and welfare and/or good name of the University, and/or which violates the provisions of this Code regarding student organizations;
5. Damaging or defacing property within University premises, with the use of hazardous chemicals, use of explosives or incendiary materials;

B. Less serious

1. Damaging or defacing property within University premises, including but not limited to, littering and vandalism. However, if allegedly committed with the use of hazardous chemicals, use of explosives or incendiary materials, it is considered serious; and
2. Appropriating for the student organization in the University property of another.

Appendix B

Corrective measures

1. Admonition/reprimand
2. Apology
3. Cancellation of registration
4. Suspension
5. Expulsion
6. Withdrawal of degree

Additional corrective measures, which may be concurrently imposed with above corrective measures

1. Fine
2. Disqualification from graduation with honors
3. Reparation
4. Restitution
5. Suspension or withdrawal of IT privileges as defined by the current policies on IT uses and resources of the University.⁸

Corrective measures that are **sui generis** or in a class of their own:

For students:

1. Cancellation of admission to the University
2. Community service

For student organizations:

1. Cancellation of recognition
2. Suspension of recognition

⁸ See the Approved Acceptable Use Policy (AUP) for Information Technology (IT) Resources of the UP System, approved by the Board of Regents on 1 February 2003, posted in the website of the University (<http://www.up.edu.ph>), and other documents.